

No. 254/10

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Liberia and has the honor to refer to earlier discussions between representatives of the two Governments regarding grants under the Foreign Assistance Act of 1961, as amended, or successor legislation, and the furnishing of defense articles, related training, and other defense services from the United States of America to the Government of the Republic of Liberia pursuant to the Foreign Assistance Act of 1961, or successor legislation.

In this regard the Embassy refers to the Agreement regarding provisions of United States law affecting eligibility for United States military assistance and training, effected by exchange of notes at Monrovia, February 23 and September 7, 1983 and to the Agreement regarding the provision by the Government of the United States of America of articles and services to the Government of Liberia pursuant to section 1206 of the National Defense Authorization Act for Fiscal Year 2007 as modified and extended, or successor legislation, effected by exchange of notes at Monrovia, July 30 and August 1, 2007.

In accordance with these discussions, it is proposed that the Government of the Republic of Liberia agree:

DIPLOMATIC NOTE

A. That unless the consent of the Government of the United States of America has been first obtained the Government of the Republic of Liberia shall not:

(I) Permit any use of such defense-related articles, related training, including training materials, or other defense services by anyone not an officer, employee or agent of the Government of the Republic of Liberia;

(II) Transfer, or permit any officer, employee or agent of the Government of the Republic of Liberia to transfer, such defense articles, related training, including training materials, or other defense services by gift, sale or otherwise; or

(III) Use, or permit use of, such defense articles, related training, including training materials, or other defense services for purposes other than those for which provided;

B. That such defense articles, related training, including training materials, or other defense services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

C. That the net proceeds of sale received by the Government of the Republic of Liberia in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by the Government of the United States of America on a grant

basis, including scrap from any such defense article, shall be paid to the Government of the United States of America.

D. That the Government of the Republic of Liberia shall maintain the security of such defense articles, related training, including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such defense articles, related training, including training materials, and other defense services by the Government of the United States of America; and that it shall, as the Government of the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Republic of Liberia; and

E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

Further, the Embassy proposes that the Agreement herein proposed shall supersede in their entirety the aforementioned 1983 Agreement regarding provisions of United States law affecting eligibility for United States military assistance and training, effected by exchange of notes at Monrovia, February 23 and September 7, 1983 and the aforementioned 2007 Agreement regarding the provision

by the Government of the United States of America of articles and services to the Government of Liberia pursuant to section 1206 of the National Defense Authorization Act for Fiscal Year 2007 as modified and extended, or successor legislation.

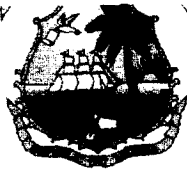
This Agreement shall apply to defense articles to which the superseded Agreements had applied prior to entry into force of this agreement.

The Ministry of Foreign Affairs' note stating that the foregoing is acceptable to the Government of the Republic of Liberia shall, together with this note, constitute an agreement between the two Governments, which shall enter into force on the date of the Ministry's note.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Liberia the renewed assurances of its highest consideration.

Embassy of the United States of America,
Monrovia, June 2, 2010.





MINISTRY OF FOREIGN AFFAIRS

MONROVIA, LIBERIA

RL/MFA/0242/2-4/10

The Ministry of Foreign Affairs of the Republic of Liberia presents its compliments to the Embassy of the United States of America and has the honor to refer to the latter's Note No. 254/10, dated 2 June, 2010, which reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Liberia and has the honor to refer to earlier discussions between representatives of the two Governments regarding grants under the Foreign Assistance Act of 1961, as amended, or successor legislation, and the furnishing of defense articles, related training, and other defense services from the United States of America to the Government of the Republic of Liberia pursuant to the Foreign Assistance Act of 1961, or successor legislation.

In this regards the Embassy refers to the Agreement regarding provisions of United States law affecting eligibility for United States military assistance and training, effected by exchange of notes at Monrovia, February 23 and September 7, 1983 and to the Agreement regarding the provision by the Government of the United States of America of articles and services to the Government of Liberia pursuant to section 1206 of the National Defense Authorization act for Fiscal Year 2007 as modified and extended, or successor legislation, effected by exchange of notes at Monrovia, July 30 and August 1, 2007.

In accordance with these discussions, it is proposed that the Government of the Republic of Liberia agree:

- A. That unless the consent of the Government of the United States of America has been first obtained the Government of the Republic of Liberia shall not:*

(I) *Permit any use of such defense-related article, related training, including training materials, or other defense services by anyone not an officer, employee or agent of the Government of the Republic of Liberia;*

(II) *Transfer, or permit any officer, employee or agent of the Government of the Republic of Liberia to transfer, such defense articles, related training, including training materials, or other defense services by gift, sale or otherwise; or*

(III) *Use, or permit use of, such defense article, related training, including materials, or other defense services for purposes other than those for which provided;*

B. *That such defense articles, related training, including materials, or other defense services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;*

C. *That the net proceeds of sale received by the Government of the Republic of Liberia in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by the Government of the United States of America on a grant basis, including scrap from any such defense article, shall be paid to the Government of the United States of America.*

D. *That the Government of the Republic of Liberia shall maintain the security of such defense articles, related training, including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such defense articles, related training, including training materials, and other defense services by the*

Government of the United States of America; and that it shall, as the Government of the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Republic of Liberia; and

E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein, (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of the Act and United States regulations applicable to such transfers.)

Further, the Embassy proposes that the Agreement herein proposed shall supersede in their entirety the aforementioned 1983 Agreement regarding provisions of United States law affecting eligibility for United States military assistance and training, effected by exchange of notes at Monrovia, February 23 and September 7, 1983 and the aforementioned 2007 Agreement regarding the provision by the Government of the United States of America of articles and services to the Government of Liberia pursuant to section 1206 of the National Defense Authorization Act for Fiscal Year 2007 as modified and extended, or successor legislation.

This Agreement shall apply to defense articles to which the superseded Agreement had applied prior to entry into force of this agreement.

The Ministry of Foreign Affairs' note stating that the foregoing is acceptable to the Government of the Republic of Liberia shall, together with this note, constitute an agreement between the two Governments, which shall enter into force on the date of the Ministry's note.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Liberia the renewed assurances of its highest consideration."

The Ministry of Foreign Affairs on behalf of the Government of the Republic of Liberia, have the honor to confirm that the contents of the Embassy's note are acceptable to the Government of Liberia and this note of reply and the Embassy's note shall constitute an agreement between the Governments of the Republic of Liberia and the United States of America.

The Ministry of Foreign Affairs of the Republic of Liberia avails itself of the opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

MONROVIA, September 22, 2010

Embassy of the United States of America
Mamba point, Liberia

